

January 31, 1984

LB 911

for which the contract must have the exclusive contract bid on as any other contract would be. In other words, you still have to go out for bidding even though the city can have exclusivity in terms of running its own landfill free of competition with anybody else that wants to get in the landfill business or the waste water business, still must contract in the process for any equipment or land or whatever that they want. In other words, we're doing the same thing that we do today. The difference is that because of the Supreme Court ruling we have to do it. Okay, those are the committee amendments. They are not particularly earth shattering or difficult. They do clarify the intent of 911 and I urge their adoption.

PRESIDENT: Is there discussion on the committee amendments? If not, the motion is to adopt the committee amendments. All those in favor vote aye, opposed vote no. The Clerk will record the vote.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of committee amendments.

PRESIDENT: The committee amendments are adopted. Senator Newell.

SENATOR NEWELL: All right now, 911 is as I explained it. It is a legislative response to the Boulder case which says that cities does not have exclusive rights to contract or exclusive rights to do certain functions. We are only adding at this time two functions, landfills and waste disposal facilities. Probably we will have to have a major study this summer where we go through and analyze just what the various reasonable functions ought to be of local governments and what rights they have that they have always had but we now have to make sure that they have by law. So this is the first attempt to try to guarantee those kinds of rights. There will probably be other proposals and it is in response to the Boulder case and the Sherman Antitrust. It is a good bill. It is a clean bill. It does what we intend it to do and with that I urge the advancement of LB 911.

PRESIDENT: Senator Schmit. We will have order in the